

The Honorable Edward F. Shea

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Attorney for Defendant
Dr. Tracy Berg

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

THOMAS R. FREEBURG and
SANDRA FREEBURG, husband and
wife,

Plaintiffs,

vs.

NORTHWEST ORTHOPAEDIC
SPECIALISTS, P.S.; JONATHAN P.
KEEVE, M.D.; DOUGLAS G.
NORQUIST, M.D.; TRACY A.
BERG, M.D. (f/k/a TRACY A.
MAGNUSON);

Defendants.

Civil Action No. CV-09-0093-EFS

DECLARATION OF DAN J.
KEEFE DEFENDANTS' REPLY
IN SUPPORT OF MOTION TO
STRIKE

[Oral Argument Requested]

Hearing: July 20, 2010
1:30 p.m.

I, DAN J. KEEFE, declare as follows:

1 1. I am one of the attorneys for Dr. Tracy Berg in this case. I make
2
3 this declaration based on personal knowledge and in support of Defendant Dr.
4 Berg's Reply Brief in Support of Motion to Strike.

5 2. According to MedRecs, the records retrieval service, the
6
7 angiogram that was taken of the plaintiff Thomas Freeburg at Valley Medical
8 Center & Hospital was sent out, by mail, to all the parties who requested a
9 copy on April 30, 2010. This would include the plaintiffs and their attorney.
10

11 3. Attached as Exhibit A, the stipulation for this angiogram was
12 signed by the plaintiffs' attorney Ken Coleman, indicating he wanted a copy,
13 which was sent to him on April 30, 2010.
14

15 DATED this 7th day of July, 2010 at Seattle, Washington.

16 BENNETT BIGELOW & LEEDOM, P.S.

17
18 By: 

19 Dan J. Keefe, WSBA #25181
20 Attorney for Defendant Dr. Berg
21 Bennett Bigelow & Leedom, P.S.
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26

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2010, I electronically filed this document with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Kenneth J. Coleman, Esq.
Law Offices of Kenneth J. Coleman
421 W Riverside, Suite 654
Spokane, WA 99201

James Bernard King, Esq.
Evans, Craven & Lackie, P.S.
818 W Riverside, Suite 250
Spokane, WA 99201-0910

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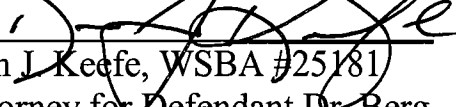
E-mail: jking@ecl-law.com,
kschulman@ecl-law.com

and I hereby certify that I have not mailed by United States Postal Service the document(s) to the any non-CM/ECF participants because all parties are represented by registered CM/ECF participants.

I certify under the laws of the United States of America that the foregoing is true and correct.

DATED this 7th day of July, 2010.

BENNETT BIGELOW & LEEDOM, P.S.

By: 
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